United Nations A/53/PV.44

General Assembly
Fifty-third Session

Official Records

44th plenary meeting
Tuesday, 27 October 1998, 10 a.m.
New York

President: Mr. Opertti ..... (Uruguay)

The meeting was called to order at 10.15 a.m.

Agenda item 13

Report of the International Court of Justice

Report of the International Court of Justice (A/53/4)

The President (*interpretation from Spanish*): The Assembly will first consider the report of the International Court of Justice for the period 1 August 1997 to 31 July 1998, contained in document A/53/4. May I take it that the Assembly takes note of the report of the International Court of Justice?

It was so decided.

The President (*interpretation from Spanish*): I call on Mr. Stephen Schwebel, President of the International Court of Justice.

Mr. Schwebel: It is an honour to speak to the General Assembly under the presidency of the Foreign Minister of Uruguay, Mr. Didier Opertti Badán, an international lawyer with a notable record of service to his country, to the Organization of American States and to the United Nations. We in the Court recall with the greatest respect and affection the two distinguished Uruguayan members of the Court, Enrique Armand Ugon and, more recently, Eduardo Jimenez de Aréchaga, who, like Mr. Opertti, served as a minister of Uruguay, and who was President of the Court.

In presenting to the General Assembly the annual report of the International Court of Justice, permit me initially to recall that this year the international community took an extraordinary step towards the creation of an International Criminal Court, a court to try individuals for grave, specified international crimes. When that Court is established, it will make its contribution to the development and application of more effective international law. It will join the family of international judicial bodies created in past decades and more recently, a family whose father is the World Court — the popular name for the Permanent Court of International Justice and the International Court of Justice — which has successfully operated for more than 70 years. This year is notable in the life of international courts for another reason as well, for it marks the first case before the International Tribunal for the Law of the Sea.

A measure of the achievement of the World Court is that today it is taken for granted that permanent international tribunals can function effectively. What was the untested ideal of the peace movement at the dawn of the twentieth century has become a reality at its sunset, insofar as it has been demonstrated and accepted that the World Court and other international tribunals can contribute significantly to the peaceful and just settlement of international disputes.

Yet the treasured ideal of the early peace movement — that international judicial settlement would be the substitute for war — has been shown to have been unrealistic. International judicial settlement does not

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produce peace in the large; rather, it is peace that is conducive to the settlement of inevitable international disputes by international adjudication. In times of high tension, States avoid judicial recourse; in times of low international tension, States are more inclined to settle their disputes judicially. That, at any rate, may be one important reason why today the International Court of Justice is as busy as it and its predecessor have been since 1922.

Insofar as their jurisdiction does not duplicate that of pre-existing courts, the creation of specialized and regional international courts is to be welcomed. It reflects the vitality and complexity of international life. It evidences the understanding that the effectiveness of international law can be increased by equipping legal obligations with means of their determination and enforcement.

At the same time, the proliferation of international courts raises the question of the role of the International Court of Justice, and of problems proliferation may pose.

The Charter of the United Nations provides that the International Court of Justice shall be "the principal judicial organ of the United Nations". The Court has thus been endowed with a special, and the most senior, judicial position within the United Nations system. As domestic legal systems have a supreme court, the international community has its principal judicial organ. But the International Court of Justice is not — or at any rate is not now — a supreme court of appeal from other international judicial bodies, and still less a court of appeal from national courts.

While not acting as a court of appeal, the International Court of Justice has acted as the principal judicial organ of the United Nations in more than one way. First of all, the Court contributes to the peaceful settlement of international disputes in furtherance of the first purpose of the United Nations: "to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes ... which might lead to a breach of the peace".

On occasion the Court may deal with disputes which, if unsettled, might lead to a breach of the peace. Indeed, the Court has dealt with cases which did lead to hostilities. Despite that fact, those disputes were submitted to the Court, sometimes by bilateral agreement, other times by unilateral application; and they were resolved without further hostilities and remain resolved to this day.

Thus, a primary way in which the Court performs as the principal judicial organ of the United Nations is as a factor and actor in the maintenance of international peace and security. Today the Court is integrated into the United Nations system of peaceful settlement of international disputes. The Court is no longer seen solely as "the last resort" in the resolution of disputes. Rather, States may have recourse to the Court in parallel with other methods of dispute resolution, appreciating that such recourse may complement the work of the Security Council and the General Assembly, as well as bilateral negotiations.

In this combined process of dispute resolution, judicial recourse has helped parties to a dispute to clarify their positions. Parties are led to reduce and transform their sometimes overstated political assertions into factual and legal claims. This process may moderate tensions and lead to a better and fuller understanding of opposing claims. The result is that, in some cases, political negotiations have resumed and succeeded before the Court rendered judgment. In other cases, the Court's decision has provided the parties with legal conclusions which they may use in framing further negotiations and in achieving settlement of the dispute.

There have been a number of examples of political and judicial resolution of disputes working in parallel. A striking instance was that of the territorial dispute between Libya and Chad, a dispute which over the years had erupted into warfare. With the assistance of the Organization of African Unity (OAU), Libya and Chad ultimately submitted the dispute to the Court. After the filing of massive pleadings and the hearing of extended oral argument, the Court determined the boundaries of these vast disputed territories. The Court's Judgment was applied by the parties, troops withdrew under the surveillance of the Security Council, and there has been peace on the border ever since.

The most recent such instance is the current case of the Land and Maritime Boundary between Cameroon and Nigeria. When armed incidents occurred between Cameroon and Nigeria in 1996 in the Bakassi peninsula, both the OAU and the Security Council were seized with the dispute. At the same time, one of the parties to the dispute brought it before the Court and requested it to indicate provisional measures — to order interim measures of protection or an interim injunction. As a result, both the Security Council, through a statement of its President, and the Court, in that Order indicating provisional measures, called on the parties to respect a ceasefire and to take the necessary steps to return their

forces to the positions that they had occupied before the outbreak of the fighting. This year the Court rendered a Judgment on preliminary objections raised by Nigeria, holding that it has jurisdiction to give judgment on the merits.

To turn to the second way in which the Court acts as the principal judicial organ of the United Nations — and of the world community as a whole — the Court is the most authoritative interpreter of the legal obligations of States in disputes between them. Indeed, this is its paramount function and antedates the establishment of the United Nations. This central role of the Court as the adjudicator of contentious differences between States represents over 70 years of achievement in settling international legal disputes.

In the third place, the Court, as the Organization's principal judicial organ, has acted as the supreme interpreter of the United Nations Charter and of associated instruments, such as the General Convention on Privileges and Immunities of the United Nations, which is now the focus of an advisory proceeding in progress in the Court. The Court has been the authoritative interpreter of the legal obligations of States under the Charter. This, the Court has done in a number of advisory and contentious proceedings.

In furtherance of the Charter's purposes and principles, the Court has progressively interpreted the Charter and so strengthened the United Nations and through it the international community as a whole. Thus, the Court affirmed the international personality of the United Nations, found that it has implied as well as express powers to accomplish its goals, determined that the assessments of the General Assembly bind Members to pay the apportioned amounts, and attributed to the General Assembly a normative role in the formation of international law. It has interpreted a voluntary abstention by a permanent member of the Security Council as not debarring adoption of a resolution. These well-known examples are illustrative, rather than exhaustive, of a number of such important holdings.

Challenging questions of the interpretation of the Charter are currently before the Court, including the boundaries between the powers of principal organs of the United Nations. The cases brought by Libya against the United Kingdom and the United States of America arising out of the Lockerbie atrocity raise issues of the relationship between Security Council resolutions adopted under Chapter VII of the Charter and the judicial role of the Court.

I said earlier that international adjudication is not the substitute for war and that peace conduces to international adjudication, rather than that international adjudication produces peace. Largely speaking, that is true. The Permanent Court of International Justice did not prevent and could not reasonably have been expected to prevent the Second World War. But, as noted, the International Court of Justice does work as a significant element in the peace-promoting machinery of the United Nations.

While the Court and other principal organs of the United Nations may work together, it is vital that the judicial independence of the Court be maintained. That is a matter of some delicacy. The Court is bound to give due weight to the powers, practice and positions of other United Nations organs and particular weight to decisions of the Security Council taken under Chapter VII of the Charter. But, in deciding on the law, the Court is and must remain free of the political influence of the United Nations, as it is bound to remain free of the political influence of any of its Members.

Finally, there is another characteristic that distinguishes the International Court of Justice from specialized and regional international tribunals. The Court is the only truly universal judicial body of general jurisdiction. Unlike specialized judicial and arbitral bodies, the Court enjoys comprehensive jurisdiction in inter-State disputes. Unlike bilateral or regional bodies, the Court is available to all States of the international community on all aspects of international law.

The Court's decisions, large and small, general and particular, may have an influence beyond the parties in dispute and beyond the issues in dispute. The Court has contributed to the growth of international law, to a universal system of international law. Over the years, the Court has interpreted, refined and advanced principles of international law that govern the whole of international society.

It is inevitable that other international tribunals will apply the law whose content has been influenced by the Court and that the Court will apply the law as it may be influenced by other international tribunals. At the same time, it is possible that various courts may arrive at different interpretations of the law. Proliferation risks conflict.

But the risk should not be exaggerated. While, in principle, there is a single system of international law, in practice there are various views on issues of the law, and

not only between international tribunals and among other authoritative interpreters of the law. There are differences within the International Court of Justice itself. That is marked not only by separate and dissenting opinions, but in adjustments of the holdings of the Court over the years.

In practice, international courts may be expected to demonstrate due respect for the opinions of other international courts. The International Court of Justice looks forward to working harmoniously with other international tribunals, but the fabric of international law and life is, it is believed, resilient enough to sustain such occasional differences as may arise.

Permit me now to turn to particular elements of the work of the Court. I do not wish to take the time to set out what is before the General Assembly in the report of the Court for the period from 1 August 1997 to 31 July 1998. But it should be recalled that, last year, General Assembly resolution 52/161 invited the Court to submit its comments and observations on the consequences that the increase in the volume of cases before the Court has on its operation.

The Court's response has been circulated as a document of the General Assembly (A/53/326). It points out that the entire *raison d'être* of the Court is to deal with the cases submitted to it by States and to deal with the requests for advisory opinions made by the United Nations and its specialized agencies. Those statutory duties mean that the Court does not have programmes which may be cut or expanded at will, unlike some other United Nations organs.

Since its establishment in 1946, the Court has dealt with 77 contentious cases and 23 requests for advisory opinions. While in the 1960s and 1970s the Court characteristically had a few cases at a time on its docket, from the early 1980s there has been a substantial increase. Today more than a dozen cases are pending. Moreover, as the Court's response to resolution 52/161 explains, in some cases there are cases within cases: requests for provisional measures, preliminary objections and counter-claims.

There is reason to surmise that this increase in recourse to the Court is likely to endure, at any rate if a state of relative détente in international relations endures. There are signs that States are acquiring a "law habit"; the more they submit their disputes to the Court, the more inclined they may be to do so.

It is noteworthy that, whereas a few decades ago most of the cases of the Court came from the older States, today Africa ranks high as a source of cases in the Court, and Eastern Europe, the Middle East and East Asia, as well as the Americas, Europe, and Australasia, have all brought cases before it. A diversity in the clientele of the Court that mirrors the diversity of the Court's composition is reassuring.

Moreover, the range of issues of the cases that come to the Court is remarkable. The International Court of Justice is a world Court not only in its origins and composition and not only in the diversity of the parties involved in cases before it, but in the variety of the questions on which it is called to adjudicate and render advisory opinions.

While the caseload of the Court has increased so significantly, it has not enjoyed a proportional growth in its resources. Today, the Court's total budget is of the order of $11 million a year, a smaller percentage of the budget of the Organization than in 1946. This has resulted in a growing gap between the conclusion of the written and the opening of the oral phase of a case — a gap caused by the backlog in the work of the Court. It is trite but true to say that justice delayed may be justice denied. Undue delay may also discourage States from resorting to the Court.

At the same time, the Court has responded quickly when the situation so demands. Last April, it unanimously adopted an order of provisional measures in the case concerning the *Vienna Convention on Consular Relations*, brought by Paraguay against the United States, within five working days of the receipt of the application.

Inadequacy of resources is one cause of delay when there is delay. The pace of the work of the Court is dependent on the pace of the processes of translation between the Court's official languages, French and English. That pace is directly affected by the number of translation staff permanently employed in The Hague; currently the whole permanent language staff consists of just four people. It is also directly affected by the amount of funds in the Court's budget for engaging short-term translation and interpretation services — services which are required if the Court is to function with such a tiny permanent staff.

The publication of the reports, and particularly of the pleadings, of the Court is also constricted by the tiny size of the Court's permanent publications staff: two people in all, because we have no funds for temporary staff in the publications department. Funds for the publication of the

volumes of the pleadings and reports cannot be used to engage short-term staff to prepare publications for printing, but only for printing itself.

The members of the Court themselves are understaffed. Several share a secretary; none enjoys the services of a clerk or research assistant, unlike many national and international courts, including the International Tribunals for the prosecution of war crimes in the former Yugoslavia and in Rwanda.

The problems of the pace of the work of the Court, however, are not only those of a shortage of staff and funds. There are steps that the Court can take within the constraints of current resources to accelerate and publicize its proceedings. And as the response to General Assembly resolution 52/161 shows, it has taken initiatives to that end. For example, it is experimenting with the omission of the preparation and translation of notes of judges in certain cases concerning preliminary objections to jurisdiction and admissibility, a step which saves time and money. It has asked parties to cases to attach only strictly needed annexes to their pleadings and to supply available translations of them. It has set up a remarkably successful Web site on which the Court's daily work can be followed. The Web site transmits over the Internet written and oral pleadings and the judgment as soon as it is rendered.

But if this principal organ of the United Nations is to function with full effectiveness and dispatch, and if the Court is to fulfil its potential as the Organization's principal judicial organ, then it must be afforded the resources to work as intensively and expeditiously as burgeoning international recourse to the Court demands. Those resources will be effectively employed, in conformity with the principles of justice and international law, to promote the settlement of international disputes and thus further the first purpose of the United Nations.

I am grateful for the attention and consideration of the Assembly.

Mr. Rebagliati (Argentina) (*interpretation from Spanish*): Allow me first of all to express my great satisfaction and pride, Sir, in addressing the Assembly under your presidency. As Judge Schwebel expressed it, you, Sir, are one of the group of great jurists, such as Armand Ugon and Jiménez de Aréchaga, that Uruguay has given to the world and to the inter-American system.

Argentina wishes once again to associate itself with those delegations that have expressed and are expressing their satisfaction with the work that the International Court of Justice is doing in interpreting and applying international law. In this respect, I am very pleased to convey to President Stephen Schwebel our respect and esteem, and I would ask him to convey these sentiments to the other Judges.

It is not our intention to review all the cases now before the Court for consideration but simply to recall that those cases cover matters ranging from the law of the sea to the implementation of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, as well as interpretation of the 1963 Vienna Convention on Consular Relations and the 1946 Convention on the Privileges and Immunities of the United Nations. Allow me, however, to draw attention to certain aspects that we regard as particularly significant.

In this regard, the Argentine delegation wishes to refer to the recent Judgment of the Court in the case of the *Land and Maritime Boundary between Cameroon and Nigeria*. That Judgment develops and updates the principles enshrined in international law for the resolution of boundary and territorial issues, such as *uti possidetis juris*, a principle that emanates from Latin America.

We anticipate that the interpretation that the International Court of Justice will give of the international Convention on the Prevention and Punishment of the Crime of Genocide will be particularly noteworthy. Its jurisprudence will be extremely useful in determining the boundary between State responsibility and individual criminal responsibility, all the more so at a time when international suppression of crimes against humanity is being enshrined as a new principle of the law of peoples.

Argentina is also following with particular interest the case of North-west Atlantic fisheries.

This array of issues, which does not exhaust the list of matters before the Court, clearly attests to the fact that the Court is the forum where the most complex and significant issues of international law are being analysed in specific detail.

The Argentine Republic is a State with a deep-rooted legal tradition that has always characterized its diplomatic history. For this reason, it never feels remote from, or uninterested in, the activities and the future of the International Court of Justice. Consequently, it is bound to feel profound satisfaction at the Court's efforts to

improve and rationalize the way in which it carries out its judicial activities.

Particularly noteworthy are the recent measures taken to avoid unduly protracted cases. To this end, there has been a limitation on the presentation of notes by Judges on the merits of the case. This procedure has been eliminated in the case of preliminary objections. Steps have also been taken to regulate the activities of parties in the written and oral phases of the proceedings. Among other measures I wish to mention are the limitation on the number of annexes in the written phase and the recommendation that matters already dealt with in the memorials and counter-memorials should not be repeated in the oral hearings.

International relations are increasingly marked by a growing legal dimension. Consequently, juridical methods of settling disputes and the organs designed to apply them have grown both in number and in terms of the volume of matters they address. Nonetheless, the International Court of Justice is, and will continue to be, the central point of reference for the international community in the area of interpretation and application of the law of nations. This is due to the already enshrined jurisprudential doctrine of the Court as well as to the record, experience and high-mindedness of its Judges. The 77 contentious cases and the 23 requests for advisory opinions that have been considered by the Court, and the doctrine derived from them, constitute resounding proof of this.

In recent times, the international community has witnessed significant changes in the way in which the Court is organized and operates. Similarly, in some spheres, such as international economic law, integration or international criminal economic law, there is a growing trend towards progressive development. However, all these norms remain part of international law, which incorporates long-standing rules and principles that should constantly be kept in mind as a fundamental element for the interpretation and application. In this respect, the work of the International Court of Justice is fundamental in setting the basic criteria that should be followed.

The Argentine delegation is confident about the renewed importance that international law will acquire as an organizing and guiding factor in international relations. For this reason, the International Court of Justice, the principal juridical manifestation of that legal order, will in the future face more intensive and complex work. We are certain that the Court will be equal to the task of responding to these demands.

Before concluding, I cannot fail to refer to an event of far-reaching importance in our Latin American region in the area of dispute settlement. It is in this regard that I express Argentina's profound satisfaction, as one of the four guarantors receiving a request for assistance from Ecuador and Peru, that the agreement signed yesterday between those two States put an end to the boundary dispute between them.

Mr. Babar (Pakistan): I would like at the outset to thank the President of the International Court of Justice, Judge Stephen M. Schwebel, for introducing the annual report of the Court to the General Assembly this morning.

The International Court of Justice is the principal judicial organ of the United Nations. The jurisdiction of the Court comprises all cases which parties refer to it and all matters especially provided for in the Charter or in treaties and conventions in force. The 10 contentious cases that were before the Court during the period under review reflected the indispensable role of the Court in helping Member States to overcome their disputes.

The Court made two important judgments this year, in February, in the cases submitted by Libya under the 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. In the Court's opinion, it had the necessary jurisdiction to deal with the merits of the two cases, because a single legal dispute of a general nature existed between the parties due to differences on whether or not the tragic destruction of the Pan Am aircraft was governed by the Montreal Convention. There were also deep differences on the interpretation and application of article 7 of the Convention, relating to the place of prosecution, and of article 11 of the Convention, relating to assistance in connection with the criminal proceedings. The Court's judgments also established that Security Council resolutions 748 (1992) and 788 (1993) did not preclude the admissibility of the cases because the State party concerned had filed its application prior to the adoption of those resolutions.

Following the two judgments, Member States, in a debate in the Security Council on 20 March 1998, raised important questions relating to the sanctions imposed on Libya. The views of States ranged from demands to lift sanctions to expressions of the need for the Security Council to examine objectively, dispassionately and comprehensively the implications of the Court's judgments. The Security Council was requested to give serious consideration to the question of whether the

sanctions it had imposed in 1992 on a State party to the Montreal Convention were still required. It was suggested that the Security Council should reconsider whether it could remain seized of the issue, which was *sub judice* in the Court.

For its part, Pakistan suggested that in accordance with the Court's judgments, the parties to the disputes should take recourse to the legal framework provided by the Montreal Convention and extend their full cooperation to the Court in deciding the case on merit. The judgments of the Court provide a viable way to address this issue. Pakistan appreciates the process that is now under way to resolve that dispute and to lift the sanctions imposed on Libya.

On a separate question, the Court this year has conveyed its views, as contained in document A/53/326, on the difficulties it faces, due to budgetary constraints, in coping with an increased workload. We fully endorse the Court's recommendation for an increase in the allocation of financial resources to enable it to fully carry out its responsibilities.

In conclusion, I would like to reiterate our hope that the two decisions of the International Court of Justice of earlier this year in the cases regarding the tragic destruction of the Pan Am aircraft will lead to an amicable resolution of the issue.

Mr. Shamsudin (Malaysia): My delegation takes this opportunity to express warm appreciation to Judge Stephen M. Schwebel for his lucid introduction of the report of the Court contained in document A/53/4. The report and its annexes contain a comprehensive account of issues pertaining to the Court. After having perused the report, my delegation would like to concentrate its brief comments on an issue that in our estimation is of prime importance, that is the workload of the Court relative to its resources.

My delegation notes with interest the disclosure in the report that the number of countries that have made a declaration recognizing as compulsory the jurisdiction of the Court as contemplated by Article 36, paragraphs 2 and 5, of the Statue remains at 60. This in itself is a positive element, and if that number is maintained or increased, it augurs well for the Court as a dispute-settling mechanism. However, this optimism has to be tempered by the fact that the workload of the Court has steadily and relentlessly increased over recent years. The Court does not determine its workload, nor has it any influence over it as more and more cases and issues are brought before it.

However, it is very disquieting that while the workload has increased there has not been a corresponding increase in the Court's budgetary resources. Even though the report notes that the number of cases pending before the Court went up for the current year from 9 to 10, my delegation is well aware that in reality there is an even larger number of matters awaiting the Court's decision, as there are often cases within cases to determine questions of jurisdiction and admissibility. In his oral report today, the President of the Court told the Assembly that more than a dozen cases were still pending. The non-restoration of lost posts and budgetary cuts in 1996 have had a compounding effect on the problems facing the Court. We note that the Registry of the Court is being stretched to its limits by demands for its research, legal, library, documentation, translation and secretarial services.

My delegation takes note of the response of the Court to the double challenge of an increased workload and an insufficiency of resources. While there has been definite and often desperate action on the part of the Court to cut its coat according to the cloth given to it, this has the proverbial propensity to cause undue hardship to the tailor. We commend the Court for having set up a Subcommittee on Rationalization to examine the work methods in the Registry, and for having implemented its report, which contained recommendations on work methods, management questions and the organizational setup of the Registry.

In re-examining its work methods, the Court noted certain practices of parties to disputes before it, including the excessive tendency towards the proliferation and protraction of annexes to written pleadings. In this context, my delegation takes careful note of the Court's advice and guidance contained in annex II of its report that it will, by virtue of Article 56 of the Rules of Court, more readily accept the production of additional documents during the period beginning with the close of the written proceedings and ending one month before the opening of the oral proceedings. Similarly, we take note of the Court's reminder to the parties of the fact that according to Article 60, paragraph 1, of the Rules of Court, oral statements made on behalf of each party shall be as succinct as possible within the limits of what is requisite for the adequate presentation of that party's contentions at the hearing.

The efforts of the Court to improve, through lectures and visits, public understanding of the judicial settlement of international disputes, the jurisdiction of the Court and

its function in contentious and advisory cases are indeed commendable. However, we would caution that such activities not impinge upon the Court's valuable time and scarce resources.

In its intervention on this agenda item last year, my delegation expressed strong support for the steps taken by the Court to take advantage of the benefits provided by electronic media. We are therefore gratified to note that, in the modern age of advanced information technology, the Court has kept abreast by increasingly utilizing computers, particularly electronic mail, the Internet and its intranet. The Court's Web site is not only popular, but well used. Computer literacy cannot be overstressed; in fact, it is now viewed as a necessity. My delegation is confident that the continued use of computer technology by the Court will enhance its operational efficiency even further.

My delegation realizes that despite all the measures taken by the Court, cost-saving or otherwise, there are limitations to what can be realistically achieved. We therefore wish to express concern that at this time when there is a substantial increase in recourse to the Court by States and international organizations, the Court's resources are so severely limited that it has to operate under severe financial constraints unbefitting the principal judicial organ of the United Nations. The status of the Court and its capacity to act have to be maintained to enable it to respond to all requests before it. The Court has to be accorded its due. It would be very regrettable indeed if the Court's status and efficiency were compromised by these factors which are not only clearly beyond its control, but are also not of its own doing.

In conclusion, my delegation would like to state its concern that unless the problems facing the Court are satisfactorily addressed, the dispute-settling mechanism offered by the Court will lose its credibility. This, in my delegation's view, would have serious political and legal consequences. My delegation therefore calls upon the General Assembly to give serious consideration to the Court's needs and the very reasonable requests made in its report so as to restore to its rightful position the only court known as the World Court.

Mr. Babaa (Libyan Arab Jamahiriya) (*interpretation from Arabic*): The comprehensive report of the International Court of Justice (A/53/4) before us today enables us to judge the important role played within the United Nations by that main judicial body, created at the time of the establishment of the United Nations. It has the responsibility to settle inter-State disputes peaceably and to hand down advisory opinions on what is requested of it by the main organs of the United Nations and by the specialized agencies, thus bolstering the primacy of the rule of law and the promotion of justice to which we all aspire.

The report of the Court attests to the fact that since its creation in 1946 it has had to consider 76 disputes among States and has met 22 requests for advisory opinions, and we note from the report a noteworthy increase since the beginning of the 1980s. This indicates increased confidence on the part of States with disputes in their resort to the Court to settle such disputes peaceably, as well as the Court's role in the attainment of such settlements. This also indicates the heightened importance of the Court's advisory opinions in the preservation of peace and the maintenance of international peace and security.

My country is committed to the role of the International Court of Justice to settle inter-State disputes peaceably. During the last two decades, Libya has resorted to the Court to settle disputes with neighbouring countries and has fully submitted itself to the judgments of the Court, in accordance with the provisions of international law and the Charter of the United Nations.

During the period covered by the report, the Court considered, among other issues, the request made to it by my country on 3 March 1992 on settling the question of Lockerbie. In this regard we have taken into account the fact that the Court has the judicial responsibility for that question pursuant to the implementation of the 1971 Montreal Convention. In the two judgments rendered on 27 February 1998 in this regard the Court declared its competency to consider the dispute and rejected requests by the United Kingdom and the United States, thereby demonstrating that the question of Lockerbie is a judicial dispute over which the Court has jurisdiction and underscoring the need for all parties to commit themselves to respect its judgments. This also meant that the sanctions which have been imposed against the Libyan people without any legal basis for more than six years, and which have resulted in billions of dollars in damages and caused harm to the neighbouring countries and others, should be lifted forthwith, until the Court rules on this matter.

The Court's credibility in the eyes of the international community would be enhanced through its handling of the issues entrusted to it neutrally, objectively and independently. Its decisions on the question of

Lockerbie have appropriately enhanced the confidence of the international community in it. These decisions affirmed those taken by regional and international organizations aiming at finding a just solution to the issue. The decisions also help the truth to emerge and the interests of all parties to be preserved.

Such decisions by the Court will have a salutary effect with regard to encouraging States which have disputes to resort to the Court in order to settle them peaceably. The report of the Court refers to an increase in the Court's workload, both by virtue of the greater number of cases submitted to it and because of the financial and human resources problems that it faces. This is due to the Court's meagre budget, which has not enabled it to discharge its present workload and to carry out its responsibilities in an optimal manner. In this connection, my delegation believes in the necessity of solving these problems and in making the requisite financial allocations available to the Court to enable it to carry out the tasks entrusted to it by the Charter and its Statute at all times.

Mr. Tello (Mexico) (*interpretation from Spanish*): It is an honour for me, as it is each year, to speak on behalf of Mexico during the consideration of the report of the highest judicial organ of our Organization. We continue to believe that this event represents a good opportunity to build closer links of support and cooperation with the Court.

Allow me first of all to convey our gratitude to Judge Stephen Schwebel, the President of the Court, for introducing the report on the work of the Court for the period from 1 August 1997 to 31 July 1998. We are particularly grateful to him for his clear and focused remarks.

The report before us for consideration this year is particularly substantive. We note with deep satisfaction the intensive judicial activities of the Court and the fact that States are turning to it with increasing frequency in order to resolve their differences. Having said this, we feel bound to mention our concern at the fact that the increase in the number of cases is beginning to affect the Court's operation.

In response to the concerns expressed by the Court on earlier occasions, Mexico, in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, advocated the inclusion of an item entitled "Consequences that the increase in the volume of cases before the International Court of Justice have on the operation of the Court". The purpose of the item is to identify, in a context in which the volume of cases seems to be steadily growing, practical ways of bolstering the Court that will not undermine its authority or its independence, or have any implications for its Statute or for the Charter of the United Nations.

Upon the recommendation of the Committee, the General Assembly invited States and the Court to submit written comments on the item. We are particularly grateful to the Court for having responded to that invitation by providing us with facts that we are certain will be taken duly into account and will enable us to arrive at productive results in our consideration of this item. The Sixth Committee has transmitted the comments received from the Court concerning its needs to the Advisory Committee on Administrative and Budgetary Questions, and we trust that they will be taken duly into account in the course of the discussion of the budget to be allocated to the Court.

Mexico is convinced that, as the principal judicial organ of the United Nations, the Court must be able to count on the necessary resources in order to be able to handle the cases brought before it. Undue delay may undermine the effectiveness of judicial means of conflict settlement and even the achievement of the goals of the United Nations, such as that of the peaceful settlement of disputes and the maintenance of peace.

We are grateful to the Court for the measures it has taken to streamline its Secretariat, to make use of electronic methods and to simplify its proceedings. We are certain that it will continue to make use of all the means available to it so as to clear the cases before it for consideration more expeditiously.

We believe also that the time has come for States to lend it greater support, not only in the form of financial resources but also by endeavouring to reduce the length of written and oral proceedings in cases in which they are parties. The measures listed on page 92 of the Court's report are simply a token of what States could do in this regard, and we believe that other measures could be applied on a voluntary basis. We look forward with interest to the consideration of this issue by the Special Committee on the Charter in 1999.

We note that in recent years the number of countries that recognize the mandatory jurisdiction of the Court has remained unchanged. Although this has not affected the Court's judicial activities, we believe that it would be

desirable at the end of the twentieth century to see a substantial increase in the number of declarations of recognition of its jurisdiction. We therefore urge all States that have not yet done so to consider making use of the mechanism provided for in Article 36, paragraph 2, of the Court's Statute.

We would also underscore the need for the parties involved in a particular case to comply with any and all of the Court's decisions in a timely fashion and in good faith so as to ensure the integrity and the proper completion of the process.

Very much bound up with the financial situation of the Court is the situation regarding its publications. We regret the fact that owing to a lack of resources there is a backlog in the publication of the Court's *Reports of Judgments, Advisory Opinions and Orders* and also of its *Pleadings, Oral Arguments, Documents*. While electronic distribution of these documents is a step in the right direction, the lack of printed editions makes the work of disseminating these publications difficult in places in which electronic methods are not readily accessible.

Before concluding, and although this is something that is not directly linked with the item now being discussed, I feel duty-bound, as a Mexican and as a Latin American, to express our particular gratification at learning yesterday of the solution that has been found to the long-standing dispute between Ecuador and Peru. We wish explicitly to place on record our satisfaction at the triumph of dialogue and negotiation, which clearly attests to the strong legal traditions of our continent.

Mr. Pérez-Otermin (Uruguay) (*interpretation from Spanish*): My delegation would like to discuss the report of the International Court of Justice contained in document A/53/4. As is well known, Uruguay has paid and continues to pay particular attention to the work of the International Court of Justice. Some years ago our country was honoured to be able to contribute to the Court the services of two eminent jurists, Mr. Armand Ugon and Mr. Eduardo Jiménez de Aréchaga.

As one of the founding Members of the United Nations, from the outset we accepted the jurisdiction of the world's principal judicial organ and recognized its Statute as an integral part of the Charter of the Organization. This recognition is simply the reaffirmation of the primacy of international law and our devotion and dedication to the maintenance of peace through the rule of law. These are pillars of our Republic's foreign policy. For this reason, we recognize the Court's mandatory jurisdiction, and we have incorporated it into various international instruments to which we are a party.

In taking note of this year's report, we wish to express special thanks to the President of the Court, Mr. Stephen Schwebel, to its members and to the Secretariat for the detailed review of activities that the report provides us. Studying it as a whole, we see that the report reaffirms the tremendous importance of the Court for all States, many of which bring a great range of issues before the Court for its consideration and elucidation. These include boundary disputes and issues fundamentally linked to the interpretation and application of legal norms.

We would like to make particular mention of the report (A/53/326) submitted pursuant to the request made in resolution 52/161 that the Court evaluate the consequences that the increase in the volume of cases before the Court has on its operation. In our view, this important initiative, first put forward by the Mexican delegation, seeks to preserve the autonomy and authority of the Court through the rationalization of its work and the optimization of its use of human and material resources. Changes in the expenditure policies of the Organization cannot be allowed to compromise the legal work of the Court. The measures that the Court itself reports it has taken in the areas of rationalizing the Secretariat, computerizing its functions and simplifying its working procedures demonstrate its constant concern to fully meet its commitments.

We are prepared to work together with delegations so as to provide the Court with a budget equal to the importance of its work. We recognize the validity of the Court's arguments that the special Tribunals established by the United Nations have been given markedly larger budgets than has the Court. We believe that the International Court of Justice must be given a budget consistent with the high level of respect in which it is held by the international community and the lofty responsibilities it bears. We hope that this view will be accepted by the Organization.

Although the specific issue before us is the report of the International Court of Justice, it is nonetheless true that this issue falls under the rubric of the maintenance of peace, in particular the quest for peace through peaceful means. In this regard, allow me to express my Government's satisfaction, as well as my own, at the historic event that took place yesterday, when two fraternal countries of the region — Ecuador and Peru —

achieved the objective of peace by means of dialogue, bringing to an end a long-standing boundary dispute that was affecting not only those two States but the whole region. With this historic event these two States have once again demonstrated how beneficial it is to settle a dispute by peaceful means rather than by resorting to force.

As the President of my country, Julio Maria Sanguinetti, has expressed in this regard:

> "While winning a war represents success to the soldier, a statesman succeeds by winning peace."

We have no doubt that both President Jamil Mahuad Witt of Ecuador and President Alberto Fujimori of Peru have proved themselves statesmen, since both of them, through dialogue, have won peace — not only between two countries, but for the whole region. The Government of Uruguay salutes and congratulates them.

Mr. Lavalle-Valdés (Guatemala) (*interpretation from Spanish*): My delegation is extremely grateful to the President of the International Court of Justice, Mr. Stephen M. Schwebel, for having temporarily set aside the pressing responsibilities of his lofty position to come to this bustling city to introduce the report of the Court, and for having performed his task with his customary brilliance.

A cursory review of the reports we have received from the Court in recent years is enough for anyone with the least knowledge of the institution to be impressed with the volume of work with which it has been faced. Anyone who considers the work of the Court, who is familiar with the difficulties of international law and who appreciates the scarcity of the Court's resources, the complexities involved in the elaboration and adoption of its substantive decisions and the delicate nature of the problems that can arise even in the minutiae of the Court's daily work — such a person feels not only surprise but also amazement and admiration.

If we look at the results of all these endeavours, we cannot but be impressed by the value of the Court's contribution to concord among nations, as well by the development and enrichment of international law that we owe to that institution. Almost all the judgments of the Court have been complied with by the parties, and I do not believe that there is a single judgment or advisory opinion of the Court that has not made some contribution to international law. At the same time, as we all know, quite a few of the Court's judgments and opinions may be described without exaggeration as having far-reaching significance. Among these it is worth mentioning the famous judgment in favour of Guatemala, which was the defendant in the case. The institution has thus followed in the footsteps of its predecessor, the venerable Permanent Court of International Justice, of which the present Court is not so much a successor as a continuation.

A glance at the set of cases now before the Court also amazes us, for they cover a very wide range. Among the subjects that are or may be involved are questions as varied as the scope of the functional immunity of international agents, the possible liability of a State for physical damage caused by its armed forces, certain very sensitive aspects of the constitutional law of the United Nations, the application of classical provisions of one of the conventions against terrorism, fundamental rules of humanitarian law, land and maritime boundaries between States, a sensitive aspect of the consular function, the non-navigational uses of watercourses, questions relating to international environmental law and a very important aspect of the law of the sea, namely, high seas fisheries.

If we take a subjective approach and focus our attention on the identity of the States that are parties to the cases before the Court, we see that those 18 States come from all the geographical groups to which the Members of the United Nations belong.

According to certain sociologists of law, the full use of a society's judicial organs indicates a healthy society. For this reason we believe that, although the international community is very far from being free of problems, the fact that the Court has its hands full is reason for optimism. In this respect, we are pleased that the President of the Court today predicted that the Court would not fall back into relative idleness.

Guatemala has taken two specific initiatives with respect to the Court. One of these, an extremely long-term one, is a proposal that we presented — and we were honoured by Costa Rica's support in this — in the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. That proposal, submitted in 1997, was aimed at extending the Court's jurisdiction over contentious cases to all legal disputes that may arise between States parties to the Statute and intergovernmental organizations. This was one of the various possible reforms of the Court on which Members of the United Nations were consulted in 1971. Sixteen countries, among them Guatemala, indicated at that time that they were in favour of that possible reform, which has also been the subject of largely favourable commentary in legal literature. It should be noted that the

specialists in international law that have spoken out in favour of the reform include one member and one late former member of the Court.

Of course, I cannot refer to Guatemala's initiative in this regard without recalling that, for the first time in history, the Court soon will have to resolve, by advisory means but with binding effect on the parties, a dispute between a State and an intergovernmental organization, which happens to be the most important of all organizations of its kind: the United Nations. The Economic and Social Council asked the Court to settle, by an advisory opinion with respect to the second sentence of section 30 of the Convention on the Privileges and Immunities of the United Nations, a dispute between the Organization and a Member State concerning the interpretation and application of that Convention. This will be the first time that this provision, which establishes the curious mechanism of the binding advisory opinion, has been applied. This mechanism is of course useful, but, apart from presenting the anomalies pointed out by Roberto Ago, it applies solely to disputes relating to the Convention in question and to matters regarding specialized agencies.

The second, and more recent, initiative by Guatemala concerning the Court is, of course, an infinitely more modest one than the first; but it does, on the other hand, have immediate practical interest. This initiative relates to the two annexes to the report before us, which contain the response of the Court to a resolution adopted by the General Assembly last year requesting the Court to submit comments on the consequences of the growth of its workload. The response of the Court has already been considered by the Sixth Committee in the context of the agenda item on the report of the Special Committee to which I referred earlier. Since the response is also of interest to the Fifth Committee, Guatemala proposed that the Sixth Committee transmit it to the Fifth Committee. Yesterday we were pleased to see the adoption of that proposal by the Sixth Committee. We hope that the referral of the Court's concerns to the Fifth Committee will be of some help in underscoring and better focusing upon the seriousness of the problems that the Court faces, as well as the need to find a remedy to these difficulties in the very near future.

My delegation very enthusiastically associates itself with the satisfaction expressed by previous speakers relating to the settlement achieved yesterday to the conflict that for so long divided Ecuador and Peru.

Lastly, my delegation reaffirms Guatemala's steadfast support for the admirable and valuable work of the Court.

Mr. Valencia Rodríguez (Ecuador) (*interpretation from Spanish*): The delegation of Ecuador has paid particular attention to the report of the International Court of Justice, and we take the view that that principal legal organ of the United Nations is effectively fulfilling its lofty responsibilities.

I am grateful for the introduction made by its President, Judge Stephen Schwebel. It can be seen that the Court now has a number of cases under consideration, which demonstrates that it enjoys the confidence of States parties. Indeed, judicial recourse, one of the means of peaceful settlement of disputes, should always be encouraged in order to demonstrate that, as the Charter states, any legal problem should preferably be resolved in this way.

I wish in particular to underscore the importance that the judgments of the Court hold for the progressive development of international law. Indeed, we believe that the doctrine emanating from the case of *Maritime Delimitation and Territorial Questions between Qatar and Bahrain* will be of particular significance for the implementation of the United Nations Convention on the Law of the Sea.

We also feel that the case of Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie will present possibilities for finding agreement on this issue that is of such concern to the international community.

With regard to administrative matters, it can be seen that the Court now has a significant increase in its workload. For this reason, its financial resources are inadequate. The report speaks of certain limitations that impede the good functioning of the organ. We believe that this issue should be given special consideration by the General Assembly so as to provide the Court with the resources it vitally needs in order to perform its functions.

The supreme purpose of the Court is to promote and consolidate peace. In this context, I would refer to the important ideas that have been raised in this Hall by a number of delegations concerning the signing, yesterday in Brasilia, by the Presidents of Ecuador and Peru of documents putting a final end to the territorial problem

between their two countries. I wish to express my thanks for those ideas. Many heads of State and Government, political leaders, academics and representatives of the media have sent us messages of congratulation.

The signing has in effect ended a confrontation that long kept the two countries apart. The Brasília document affirms that,

> "on the basis of their common roots, both nations can now turn to a promising future of cooperation and mutual benefit".

This is the time for us to look with optimism and hope towards a future of cooperation and harmony between Ecuador and Peru that will also help to strengthen peace and security in Latin America. This is not the time to focus on the past, rehashing positions that have already been reconciled or mired in rancour that ought to be forever dispelled. This is the time for us to speak out for peace, which has been achieved with great difficulty and arduous efforts.

The President (*interpretation from Spanish*): The presidency of the General Assembly wishes to join in the expressions of congratulation and rejoicing at the news of the signing yesterday of the agreement between Ecuador and Peru, which has definitively ended the territorial dispute between them.

At the same time, the presidency congratulates the Governments of Ecuador and Peru for their spirit of dialogue and commends the efficient and important work of the Governments of the guarantor countries — Argentina, Brazil, Chile and the United States — which contributed to this solution.

The President (*interpretation from Spanish*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 13?

It was so decided.

Agenda item 24

Implementation of the United Nations New Agenda for the Development of Africa in the 1990s, including measures and recommendations agreed upon at its mid-term review

Progress report of the Secretary-General (A/53/390 and Add.1)

Mr. Sucharipa (Austria): I have the honour to speak on behalf of the European Union (EU). In addition, the Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated country Cyprus align themselves with this statement.

The European Union welcomes the progress report of the Secretary-General on the implementation of the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF), which should be considered in conjunction with the recommendations put forward by the Secretary-General in his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa. The European Union is actively participating in the follow-up to the Secretary-General's report and sees today's discussion as an integral part of this endeavour. The European Union, in this regard, commends the decision of the Economic and Social Council to aim at harmonizing the ongoing international initiatives at its next coordination segment and to examine the institutional framework for African development within the United Nations system.

Last year's *Human Development Report* indicated the main causes of poverty in Africa, affecting about 45 per cent of the population in sub-Saharan Africa: economic stagnation and slow employment growth; increasing income disparities; the lack of pro-poor economic growth; marginalization from global trade and financial flows; high fertility and the spread of HIV/AIDS; the degradation of natural resources; and the consequences of violent conflict, including increased displacement of people and violations of human rights. These are the issues we need to continue to address within the United Nations system, within regional efforts and at the country level.

Despite the fact that growth rates in sub-Saharan Africa have been relatively high in recent years and that African countries are increasingly putting in place sound macroeconomic policies, most African countries have not been able to benefit significantly from globalization. At the same time, African economies continue to depend largely on the export of commodities for their development. The recent fall in commodity prices represents a decline in the income of primary commodity producers, which has a significant effect on fiscal and

trade balance in a number of African countries, since a large proportion of government revenues come from this source. The functioning of the markets for many of these commodities could be improved.

Through the Lomé Convention and its instruments providing compensation for the loss of export earnings for agricultural and many other products, the European Union is addressing this issue. The Union hopes that the agreement that is to replace the Lomé Convention after the year 2000 will contribute to the integration of African countries into the globalized world economy. We also emphasize the importance of the further diversification of the production and export structures, which is crucial.

Under the EU Lomé Convention with the African, Caribbean and Pacific (ACP) countries and Mediterranean agreements with North African countries, the European Union provides favourable and preferential access to its market for African exports. For example, the Union provides tariff- and quota-free access to imports of textiles from African least developed countries. But, as the Secretary-General's Panel of High-level Personalities on African Development noted at its recent meeting, chaired by Mr. Poul Nielson, Minister for Development Cooperation of Denmark, there remains significant scope for addressing trade barriers to African exports in important markets. The European Union also agrees with the Panel's underscoring of the importance of building supply capacity to take advantage of new and existing market opportunities and making Africa more competitive.

External debt continues to be a serious impediment to sustainable development for many African countries. Unless the external debt is reduced to sustainable levels, especially for the poorest countries, the benefits of reform risk being swallowed up by increased debt services. On top of the financial debt relief already granted in the framework of the Paris Club and on a national basis — *inter alia*, through the cancellation of official aid debt and debt-swap arrangements — the European Union member States will fully participate in the Heavily Indebted Poor Countries Debt (HIPC) Initiative in order to alleviate the debt burden for the poorest countries. Although the European Union is primarily a donor of grant aid and is only a small creditor to highly indebted poor countries, the Community has recently agreed to fully participate in the Initiative. The European Union will strengthen its support to highly indebted poor countries by targeting more of its resources to structural adjustment support and by reinforcing its support for debt management in accordance with the Lomé Convention.

In the ongoing negotiations regarding successor arrangements for the present Lomé Convention, the EU has made far-reaching proposals for a new global partnership with Africa, the Caribbean and the Pacific, which include three components: political dialogue, support for development and economic and trade cooperation. Responsibility for the preservation of a political environment conducive to peace, security, respect for human rights, development and reducing poverty lies with each country. The European Union's role is to support those efforts. The objective of reducing and eradicating poverty has to be the central concern, to be achieved through more sustained development and greater competitiveness, as well as the development of the private sector and improved access to social services.

As regards trade and economic cooperation, the European Union's proposal aims at further developing our trade cooperation in a strengthened economic partnership. The main objective is to facilitate the progressive integration of ACP countries into the world economy. There is a clear link between development cooperation and the establishment of a regulatory framework favourable to trade development and investment. The search for stability and predictability in economic and trade policies is a key element in this approach.

The European Union is proposing to negotiate economic partnership agreements covering free-trade areas and an enhanced cooperation in trade-related matters with such groupings which are engaged in a regional integration process. Appropriate transition periods will have to be defined, and development programmes will assist the process of restructuring and reform. Those agreements will have to be negotiated pragmatically, taking account of the economic and social constraints of each country. The Union is proposing to manage the process with a maximum of flexibility, in relation to the coverage of liberalization, the duration of the implementation period and the degree of asymmetry in the process of tariff dismantlement. The Union is also ready to undertake commitments to protect infant industries and to look at the application of World Trade Organization (WTO) rules to take into account the special economic and social needs of ACP countries, particularly with respect to safeguards.

The level of development of each partner country is obviously important. That is why the current non-reciprocal trade regulations will be maintained with least developed countries that are not members of a regional group entering into an economic partnership agreement

with the European Union. All least developed countries will see their market access regime improving from the year 2000 in such a way that by 2005 they will benefit from duty-free access to the European Community market for, essentially, all products. For those ACP countries not in a position to enter into economic partnerships, the European Union will consider ways of providing them with a framework for trade which is equivalent to that which they currently enjoy. The Union will examine all alternative possibilities in order to provide these countries with a new framework for trade between them and the European Union which is equivalent to their existing situation under the Lomé Convention and in conformity with WTO rules. In particular, the European Union will take into account their interests in the review of the Generalized System of Preferences in the year 2004, making use of the differentiation permitted by WTO rules.

Women play a key role in the African economy, accounting for 60 per cent of the output in the informal sector and 70 per cent in the agricultural sector, but they have only very restricted access to material production factors and services. Still, not enough support is given to local economies or to encouraging innovative entrepreneurial attitudes in which women are frequently key players. It is therefore imperative that women be involved in all development measures on an equal basis, as they frequently have more practical knowledge in, for instance, agriculture, street trading and food production. Gender discrimination needs to be eliminated in social, political and economic contexts, and women have to be given equal access to education and economic resources, and in particular to credit, inheritance and ownership.

Africa's development is closely linked to peace, security and stability. As part of its efforts to secure global security, including in the situation on the African continent, the European Union has called for a ban on the use of landmines, a code of conduct on arms exports and a limitation of military budgets to 1 per cent of gross national product. The European Union commends efforts by African States and regional and subregional organizations, in particular the Organization of African Unity (OAU), to resolve conflicts by peaceful means. Under its common position on conflict prevention and resolution in Africa, the European Union is ready to assist in building capacities for conflict prevention in Africa, particularly through the OAU and African subregional organizations.

The Union reiterates that protecting all human rights and fundamental freedoms, promoting transparency and accountability in public administration and fighting corruption are crucial and necessary steps in building peace and promoting development. In this respect, development cooperation has to play an important role.

The Union is the world's leading source of development assistance to Africa, providing more than two thirds of total official development assistance flows to sub-Saharan Africa. Development assistance remains a vital component to the policies pursued by the African countries. This particularly concerns the least developed countries, three quarters of which are in Africa. In line with the Treaty on European Union, we are actively committed to improving the operational coordination of development cooperation among ourselves and with partner Governments and other international development actors, such as the United Nations family. Also of crucial importance is an enhanced coherence between our development policy and other policies which are likely to affect developing countries.

UN-NADAF underwent an evaluation of its implementation and a mid-term review in 1996. It is critical that we keep the Agenda, which includes the implementation of the United Nations System-wide Special Initiative on Africa, under constant review to maximize its outcome, which is to be appraised in 2002. The recent recommendations of the Secretary-General are an important element in this process.

The international community has taken a wide range of initiatives in support of African efforts. Overlap and duplication limit their impact on African development. As the recent meeting of the Secretary-General's Panel of High-level Personalities on African Development recommended, African countries and their partners should identify and rank priorities, define respective responsibilities and agree on realistic, measurable targets in priority areas. Let me conclude by repeating the closing remarks of Minister Nielson at that meeting of the Panel. He said that the risks of reversal of recent gains, as well as the threat of further marginalization of Africa are high and that we need to keep the issues confronting Africa at the forefront of the international agenda.

Mr. Soeprapto (Indonesia): Let me begin by expressing, on behalf of the Group of 77 and China, our appreciation to the Secretary-General for the informative reports on this most important issue facing the international community.

It is now seven years since the United Nations New Agenda for the Development of Africa in the 1990s (UN-

NADAF) was launched as a political compact between the African States and the international community for the promotion of the continent's development, one of the major development challenges in the post-cold-war era. Two years ago, the mid-term review of UN-NADAF took place. It was designed to evaluate the progress achieved in reaching the goals of the New Agenda and to agree on further measures to ensure their attainment. At that time the Assembly recorded its disappointment with the progress registered. During the review, the international community reiterated its support for the efforts of the African economies to reach their objectives.

In the two years since the mid-term review of the New Agenda, two significant and revealing trends have clearly emerged. First, the two-decade-long decline in per capita income was reversed in 1995, and the upturn was maintained up to last year. Though the recovery is not robust enough to reverse marginalization and economies have remained very vulnerable to the external environment, the improved performance, including a positive trend in domestic savings, clearly indicates that the commitments undertaken in the New Agenda, as well as in other institutions, were having a positive impact and that the continent was back on the path of sustained development. While these trends are encouraging, the multiplicity of constraints confronting the African economies makes such progress difficult to maintain, and it is particularly difficult to reach the target levels necessary to achieve the objectives of the Agenda under current external conditions.

These conditions result from the second major trend: globalization and the global financial crisis, and they do not bode well for the vulnerable economies and fragile situation in Africa. Coupled with such factors as conflicts, disease and the effects of El Niño, the darkening external environment is again exacting a heavy toll and is severely hampering prospects for the rehabilitation and development of the African continent. It is also true that the major adjustments undertaken by the economies of Africa have not yielded the desired outcome. These profound challenges to the successful implementation of UN-NADAF are of deep concern to the Group of 77 and China, and they call for concerted support from the international community.

As a result, a major dilemma looms for Africa, particularly in the wake of the Asian crisis. While the need for growth and development requires economies to increase their integration into the global market places, the exposure of vulnerable and unprepared economies to the unfettered forces of the market can increase their risk of marginalization and even collapse. Thus, we agree with the report of the Secretary-General that globalization tends to intensify the marginalization of those countries that do not have the capacity to increase exports or to attract investment rapidly. The reality of Africa's exports is that they are narrowly based on commodities, and with the recent plunge in commodity prices, an already difficult situation has been further compounded. More ominously, as pointed out in the report, while the benefits accruing to non-Organisation for Economic Cooperation and Development countries from the Uruguay Round are expected to be between $30 billion and $90 billion in 2002, Africa is expected to lose $1.2 billion each year. In response, it is critical that the international community seek to halt and reverse this haemorrhaging. In this context, it is vitally important that international markets be opened to African exports and that their share of the global market, which currently accounts for only 2 per cent of world trade, be increased. Moreover, the international community should strive to help the African economies diversify into non-traditional exports, particularly in such areas as manufacturing and to help them promote industrialization.

One of the most critical constraints facing development in Africa continues to be the severe shortage in financial resources. In the current situation, and given the general level of development, it is increasingly difficult to generate domestic savings for development. Moreover, the magnitude of the debt and debt-servicing burdens in Africa constitutes a significant drain on domestic savings in these economies. Thus, there is no doubt that such savings must be supplemented by additional resources from the outside. At the same time the reality is that, in this era of globalization, it is difficult to attract sound investment in economies in the early stages of development. Moreover, the official development assistance that many economies in Africa have come to depend upon has also declined. This decline in official development assistance obviously reflects a regrettable trend resulting from the globalization process: donor countries have begun to rely more on private capital to meet the resource requirements of the developing countries. It is rather paradoxical, however, that at a time when Africa was succeeding in its recovery, the additional resources of external funding virtually dried up. It is imperative, therefore, that the international community not squander this unique opportunity to help Africa maintain its new-found growth and development. Therefore, we sincerely urge that Africa's efforts to implement the New Agenda be fully supported.

Closely related to the mobilization of financial resources is the question of crippling external indebtedness. As reported in this year's Trade and Development Report, there is ample evidence to show that Africa's external debt burden is in fact having a severe adverse effect on both public and private investment and renewed growth. Taken as a proportion of exports and gross domestic product, the external debt of Africa is the highest of any developing region. To redress this, a number of initiatives have been launched over the years, yet none have succeeded in resolving this stubborn, perennial question. One initiative that is showing promise, however, is the Heavily Indebted Poor Countries Debt Initiative of the International Monetary Fund (IMF) and the World Bank. It provides a more comprehensive and equitable debt strategy that includes debt reduction so that these countries can bring their debt burden down to sustainable levels. This is a welcome initiative, but there is still room for further revision so as to enhance its effectiveness, sustainability and scope to cover other such countries. We believe that the eligibility criteria should be more flexible, and there is an urgent need for increased resources to ensure speedier implementation.

Before concluding, let me briefly refer to one other critical issue that needs to be further addressed if the New Agenda is to be successfully implemented: the need for improved coordination and feedback between the global political process and the operational levels in the field.

But at present, as stated in the report, there seems to be little feedback between these global and national entities. There is therefore an urgent need for the System-wide Special Initiative on Africa, which is responsible for such coordination, to seek greater involvement of the recipient countries at the field level. We support the assessment in the report favouring the establishment of a mechanism so that direct input on needs and constraints can be provided by Governments and national experts.

In conclusion, the Group of 77 and China believe that the international community should support the initiatives of African countries by seeking to remove remaining constraints on and obstacles to capital migration and the liberalization of markets to allow free entry for African exports. And where private capital is unlikely to flow, such as to the social and infrastructure sectors, official assistance must be strengthened. In addition, while, as outlined in the report, the organizations of the United Nations have accomplished much to advance the New Agenda, there is still a need for those organizations and all other parties concerned to relaunch their efforts to build on the positive results achieved so far and to strive vigorously to bring the New Agenda for the Development of Africa in the 1990s to full fruition in the new millennium.

Mr. Chowdhury (Bangladesh): The indomitable spirit of Africa has energized us always. It is in the perspective of our commitment to the development and prosperity of Africa as a developing region that Bangladesh is honoured to participate in the General Assembly's discussion of progress in the implementation of the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF), including measures and recommendations agreed upon at its mid-term review.

With the establishment of Africa as one of the five priorities of the United Nations in the 1990s, intergovernmental mechanisms needed to be created that would give new direction for the much needed international support in favour of African countries. The General Assembly unanimously decided at its forty-sixth session to launch the United Nations New Agenda for the Development of Africa in the 1990s, with great expectations of change for the better. It may be recalled that the new initiative was based on the recommendation of the United Nations Programme of Action for African Economic Recovery and Development 1986-1990. The first goal of the New Agenda was to stop and reverse the continuing deterioration of the socio-economic situation of African countries and to renew the commitment of the international community to supporting Africa's own efforts to achieve sustained economic growth and sustainable development. Priority was given to the accelerated transformation, integration, diversification and growth of African economies in order to integrate them with the world economy, reduce their vulnerability to external shocks, increase their dynamism, internalize the process of development and enhance self-reliance. An average real growth rate of 6 per cent per annum in gross national product was set in the New Agenda. UN-NADAF reiterated that the development of Africa was the responsibility of the Africans. However, it also accepted the principle of shared responsibility and the full partnership of the international community in the development of Africa.

Mr. Mungra (Suriname), Vice-President, took the Chair.

Seven years have passed since UN-NADAF was adopted. During this period we have, of course, seen promising economic trends in many African countries. The Secretary-General's progress report observes in paragraph 11 that compared to the early 1990s, twice as

many countries — 40 — recorded growth rates of 3 per cent or more. However, we have seen severe setbacks in many of the African countries, and the target of 6 per cent growth has not yet been achieved by a large number of African countries.

While globalization and liberalization usher in economic dynamism, their negative consequences take a heavy toll on the economies of the least developed countries, 33 of which belonging to Africa. In the name of better economic prospects, they are being marginalized. Their economies can hardly absorb the shocks of the fast changes, as they are unable to increase exports and attract investment within a short span of time.

Africa's external debt burden is the highest among developing countries in terms of the ratio of external debt to gross domestic product and in terms of debt servicing. Debt servicing takes away a large portion of the national income of African States. The recent advance in the international strategy to relieve the debt burden of highly indebted poor countries will have some effect, but more needs to be done, not only for Africa's low-income countries but also for its highly indebted middle-income countries. Bangladesh strongly supports the proposal made by the Secretary-General in his 1998 report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871) for conversion of all the remaining official debt of the poorest African countries into grants by the creditor countries.

We have noted that during the last few years African countries have undertaken a wide range of measures to encourage private sector participation and attract foreign investment. Many countries of Africa have managed to make progress in macroeconomic reform and in liberalization of the external sector. The Secretary-General's report states that the United Nations Development Programme (UNDP) has launched an important initiative for a total of $9 million to provide a regional framework for facilitating and coordinating support activities for small and medium-sized enterprises in Africa. Africa has also reaffirmed the emerging role of non-governmental organizations as development partners. Adoption of the African Charter for Popular Participation in Development and Transformation is clear evidence of Africa's commitment in this regard. Despite this, Africa as a whole has attracted only paltry sums of private capital flows, and these are again concentrated in a handful of countries.

Since the mid-term review of UN-NADAF, significant progress has been made in the African countries in the area of human development. Improvements in health care have led to a decrease in mortality rates. National population policies have in most cases been successfully put in place. Literacy and gender parity in access to education have increased. Women have been playing an increasingly important role in the development of the continent. To make greater progress in these areas, the mid-term review recommended that African countries should endeavour to increase resource allocations in the priority areas of basic education, primary health care, enhancing scientific and technical capacities and creating productive employment and income opportunities. It also recommended the adoption of the 20/20 concept of mutual commitment for basic social programmes by recipients and by donors alike.

We find that poverty eradication was not treated by the mid-term review as a key area, but rather as a cross-cutting issue dealt with within the context of economic reforms, environment and development and the human dimension. In this connection, we are pleased that the Secretary-General's report contained in document A/53/390 recognizes that since the mid-term review, emphasis has been put on microcredit as a means to empower the poor and that this has prompted the United Nations system to devote particular attention to the subject. Bangladesh would like to underline the important role that microcredit can and has been playing in the eradication of poverty and the empowerment of women in particular. We have also noted that the early 1998 study on poverty eradication in Africa done by the United Nations Office of the Special Coordinator for Africa and the Least Developed Countries (OSCAL) has recognized the existence of the vast inherent potential in Africa for people-centred development.

The effective mobilization of financial resources continues to be a critical development issue for the African region. We recall that the Secretary-General's report to us in 1991 estimated that there was a need for at least $30 billion in net transfers of official development assistance for 1992 and that a subsequent annual increase of 4 per cent was necessary to achieve the objective of a 6 per cent growth rate. Today, development experts claim that the African economy needs to grow at the rate of 8 to 10 per cent annually in order to significantly reduce poverty. This would require a level of resource flows much higher than what was mentioned by the 1991 report covering the decade of 1990s. We ask the international community to address this issue with all seriousness.

No domestic efforts can be successful in the developing countries, including African countries, unless they are matched by equally robust and positive international support. In this context, we urge the international community to spend at least 50 per cent of donor aid to Africa in that continent. It may be recalled that the Secretary-General called for this in his earlier report on the causes of conflict and sustainable development in Africa, which was also discussed in this body a few weeks ago.

We support the Secretary-General's call to the Bretton Woods institutions to provide peace-friendly structural adjustment programmes. Bangladesh welcomes the outcome of the second Tokyo International Conference on African Development (TICAD II) — which was hosted by Japan last week — as it identified critical development issues in Africa, specified goals and objectives and called upon the international community to come forward to support the efforts of the African countries.

We are confident that with the judicious and collaborative support of the international community, Africa will overcome its economic problems and reduce dependence. Africa is faced with many problems, but it also has a large inherent potential, both material and human, for growth and development. Africa has demonstrated these potentials during the last seven years of the implementation of the United Nations New Agenda for the Development of Africa in the 1990s. With the support and solidarity of us all, the United Nations can contribute substantially to Africa's own efforts through full and effective implementation of the New Agenda.

Mr. Konishi (Japan): With the adoption of the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF) by the General Assembly in 1991, African countries reaffirmed their primary responsibility for their development, and the international community committed itself to supporting the efforts of African countries on the basis of the principles of partnership and shared responsibility.

Since the adoption of the New Agenda, awareness of the serious plight and urgent needs of African countries has grown; and in supporting African development, a wide range of multilateral and bilateral initiatives have been proposed. All those initiatives are significant, but it is imperative that they be implemented in a coordinated manner in order to have a real and durable impact on African development.

While some progress has been made in implementing the New Agenda, much remains to be done. What has been achieved thus far and what is left to be done should be fully analysed, and ways and means of acting on the problems that remain should be vigorously pursued. In this context, collaboration among the development partners concerned has acquired critical importance. We also hope that the recent report by the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa will provide strong impetus for accelerating the implementation of UN-NADAF.

Japan has been trying to realize the goals and objectives of UN-NADAF through the process of the Tokyo International Conference on African Development (TICAD). TICAD has much in common with UN-NADAF. Both stress economic transformation, integration, diversification and growth. The primary theme of TICAD II is poverty reduction through accelerated economic growth and sustainable development and effective integration of African economies into the global economy. This is also the main objective of UN-NADAF. Therefore, allow me to take this opportunity to explain what TICAD II has achieved in this regard.

Last week, together with the United Nations and the Global Coalition for Africa, Japan organized TICAD II, which was attended by the Secretary-General and a number of heads of State or Government of African countries and international organizations. The Conference concluded with the adoption of the Tokyo Agenda for Action, which articulates the critical issues in African development and the need for increased support from development partners.

The principal approach of the Tokyo Agenda for Action is output-oriented. We believe that an output-oriented approach based on common goals and objectives and measurable indicators should be pursued by all development actors to enhance the impact of development efforts. For this purpose, all — including the Bretton Woods institutions, the private sector and civil society — should engage in active collaboration and take joint action in promoting African development. Development actors need to define the expected outcome of development activities at the beginning and then monitor and evaluate performance against benchmarks and indicators. The results should be fed back into new activities so that lessons learned today contribute to the enhancement of activities tomorrow. We believe that such a cycle in a collaborative output-oriented approach will undoubtedly

increase the impact of development efforts in African countries.

The Tokyo Agenda for Action singled out three areas as critical development issues: social development, economic development and basic foundation for development. In the area of social development, education, health and population and other measures to assist the poor are stressed as a means of promoting human resources development. In the area of economic development, the focus is on the private sector, industry, agriculture and external debt. Good governance and conflict prevention and post-conflict development are identified as a key to a basic foundation for development.

The Tokyo Agenda for Action not only delineates the critical development issues in Africa, it also enunciates the goals and objectives to be pursued and the action to be taken by African countries and their development partners. In order to attain the goals and objectives that are set forth, three concrete approaches are laid out. They are: strengthening coordination, promoting regional cooperation and integration, and expanding South-South cooperation. At the same time, emphasis is placed on capacity-building, gender mainstreaming and environmental management as cross-cutting themes to be incorporated in all activities undertaken within the framework of the Tokyo Agenda for Action.

It is very important that this Tokyo Agenda for Action be followed up and translated into the development policies and programmes of the participants. Without appropriate follow-up, the Tokyo Agenda for Action is pie in the sky. In order to assist participants in translating their commitments into concrete action, an illustrative list of programmes and projects was distributed to the participants at the conference which contains successful examples and model cases of ongoing development efforts of countries and organizations. The review meetings are to be held periodically to monitor progress towards the goals and objectives using appropriate indicators.

In line with the Tokyo Agenda for Action of TICAD II, Japan is determined to play a leading role in development cooperation in Africa. Prime Minister Obuchi stated at TICAD II that Japan will strengthen its future actions as follows.

First, it will devote greater attention to basic human needs, including, most importantly, primary education, health and medical care, and the supply of clean and safe water.

Secondly, Japan will pursue human resources development, especially through South-South cooperation. It will provide financial and technical assistance to enable 2,000 nationals from African countries to receive training over the next five years in Asia and North Africa.

Thirdly, in order to foster the growth of the private sector in Africa, particularly through the promotion of trade and investment from Asia, Japan will assist in establishing an African investment information service centre in an Asian country. In addition, it will support the organization of an Asia-Africa business forum within the next year in order to help explore business opportunities for Asian and African enterprises.

Fourthly, to deal with African debt issues, Japan to date has extended approximately 30 billion yen to African countries in debt-relief grant aid and is giving serious consideration to increasing the number of eligible countries and expanding the scope of the designated debt. In order to improve debt-management capacity, it will launch debt-management training as part of its technical cooperation programmes.

We believe that Africa has a bright future, if the necessary political will is demonstrated on the part of Africa and on the part of the international community as a whole, and if all the initiatives are implemented in synergy and with the collaboration of development actors.

In concluding my statement, I should like to express my delegation's hope that by working together, we will be able to promote implementation of the goals and objectives contained in the United Nations New Agenda for the Development of Africa in the 1990s.

Mr. Rubadiri (Malawi): We should like to associate ourselves with the statement made by Indonesia on behalf of the Group of 77 and China. We would like to add our voice as one that comes from the African soil itself.

Two years ago, the international community conducted a mid-term review of the implementation of the United Nations New Agenda for the Development of Africa in the 1990s (UN-NADAF), a programme which was set up to address the socio-economic ills of the African continent. The review re-emphasized, among other issues, the two basic components of the New Agenda: ownership by the African States themselves and global partnership, which calls for a concerted international effort.

The Malawi delegation welcomes the progress report by the Secretary-General on the implementation of UN-NADAF (A/53/390). My Government fully associates itself with the New Agenda as an integral part of its national effort aimed at the eradication of poverty and a general transformation of the economic well-being of its citizenry.

We note the linkage established between the New Agenda and the United Nations System-wide Special Initiative on Africa, and we welcome the designation of the latter as the implementation arm of the former. My delegation would further like to acknowledge the relevance to the New Agenda of the Secretary-General's report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871).

My delegation would like to register its satisfaction at the commendable effort which the United Nations system has made towards the implementation of the New Agenda since the mid-term review. In addition, Malawi would like to pay tribute to the Government of Japan for its commitment to the promotion of development in Africa through the Tokyo International Conference on African Development (TICAD) process.

We further welcome the number of initiatives taken by the United Nations system in support of promotion of the private sector and foreign direct investment in Africa. It is observed in the progress report that since the mid-term review, certain countries in the continent have encouraged privatization as an instrument for the mobilization of resources, while others have created a more enabling environment for attracting foreign direct investment.

The international community cannot make meaningful progress with the New Agenda in the absence of economic reforms which should, of necessity, embrace efforts towards effective mobilization and efficient utilization of domestic resources. Legislation, taxation and export diversification are some of the areas we in Africa are looking into. The continued participation in this endeavour of the Bretton Woods institutions is a matter which I think my delegation also will fully acknowledge.

The mid-term review recommended, among other things, that African countries intensify efforts to improve governance and continue to broaden popular participation.

It is at this juncture that I find some kind of contradiction. For how indeed can one achieve the dream of good governance while in poverty? Poverty by itself poses the danger of bad governance. It facilitates political gerrymandering and manoeuvres — for who with an empty stomach will vote for democracy when the stomach asks for bread? In this sense, democracy will continue to breed what we all abhor: the dictator, because he knows how to use words and can also use a gun.

Broadening popular participation should include strengthening the role of women in development and in the decision-making process. The progress report outlines the notable work that is being carried out by the African countries, supported by the United Nations system, in the democratization process, in strengthening civil society and in the search for a lasting solution to conflicts and civil strife in the continent.

The problem of external debt faced by many African countries is a well-known impediment to the implementation of the New Agenda. The Heavily Indebted Poor Countries Debt Initiative, though a move in the right direction, has proved to be seriously inadequate. Malawi therefore fully associates itself with the call made by the Organization of African Unity for an international agreement that would clear the entire debt stock of the continent's poorest countries.

A few days ago I was at the great Columbia University, here in New York, and a very distinguished American lady who impressed us enormously was trying to address the assembled audience on this same problem. Following the African oral tradition, she told a story. The story was extremely pertinent and beautiful. But like all stories, it ended up by simply hinting that maybe my uncle and I are still scratching our bottoms and sleeping on our backs waiting for the banana to fall in our mouths.

I stood up and told another story. The story may also be pertinent and may also reinforce what the speaker was trying to say. I chose the style of the New Testament.

There was an African country that woke up with a lot of disease — malaria in the blood system. On the way to find somebody who would help — and we can substitute "cash", "money" or "aid" for the word "blood" — he found somebody who had gained many virtues by having been to his own malaria-stricken country and having made use of all the technical aid and vast resources of the continent. For indeed, as somebody said, when God got tired of decorating countries, especially India, in his hand he had all the riches with which to decorate other countries. But instead he said, "Why don't we just throw them on this huge question-mark continent?" And all of them fell in the Congo. As

indeed we all know, the Congo helped win the Second World War by providing the heavy water that made that bomb that we all know too well.

But as my uncle, or my country, was told, "There are people somewhere called the World Bank and the International Monetary Fund (IMF). Why don't you go and ask them to give you a blood transfusion, to give you help?"

My uncle said, "But how can I walk there. I can barely even stand up? All the blood I had seems to have gone somewhere, to this Bank, I am told."

He was told, "Don't worry, we'll fly you there first class via London."

And indeed he was flown first class via London and arrived at the World Bank in Washington. And then he was told, "Do you know, you need a blood transfusion."

And he said, "Yes, indeed, that is what has brought me here."

The Bank said, "But do you remember that I lent you three pints of blood a couple of years ago?"

He said, "Yes, I do remember indeed, and I thank you and everybody for lending me three pints of blood."

The Bank said, "Well, all you need is two pints of blood, but until you pay for the first three pints of blood, I am sorry, I cannot lend you the two pints."

At this moment, he died in front of the World Bank.

Here I am trying to express in a rather absurd manner the meaning of the word "globalization".

The progress report paints a bleak picture of the situation of Africa in international trade. With only a miserable 2 per cent of world trade, Africa's share of the global market remains dauntingly low, and it continues to rely on a single commodity for more than three quarters of its total exports. Ongoing efforts by the United Nations Conference on Trade and Development and the World Trade Organization to promote trade facilitation and to improve market access by African countries deserve the strong support of the international community.

Malawi is not standing idle in all this. The Government is actively engaged in the implementation of the various aspects of the New Agenda. In governance, for instance — good governance — the strengthening of civil society, the advent of a multiparty system of government — all this has paved the way for popular participation and the continued consolidation of the new political arrangement. Women and young people are increasingly being integrated into the decision-making process.

All these are perhaps words that might have pleased that great man Thomas Jefferson. But at what moment can one achieve good governance when all this really concerns is mere trade and the sheer interest of the globalization of trade power?

The Government has instituted bold macroeconomic reforms, for instance, which include the structural adjustment programme of the IMF. Reforms undertaken in legislation, taxation and the banking system, among other areas, have created a climate that is conducive to foreign investment. Malawi is pursuing a steady programme of privatization, through the National Privatization Commission, in recognition of the role of the private sector as an engine of economic growth.

But we note that despite an exceptional growth rate of 5.2 per cent in 1996 for African agricultural production, growth declined to 1.7 per cent in 1997 — in the period of a year — with the food sector recording a devastating 10.5 per cent drop in cereals production. Malawi was not spared the decline. Recurrent drought affecting the southern Africa subregion has largely accounted for this. My Government therefore welcomes the launching in 1994 by the Food and Agriculture Organization (FAO) of the Special Programme for Food Security. Malawi is committed to the Programme, which is linked to its Presidential Commission on Land Reform, an undertaking being supported by the FAO.

The progress report observes that globalization — a word which has now overtaken the word "villageization" — has tended to marginalize countries which lack the capacity to increase exports or to attract investment. In this regard, the African continent is said to have been significantly marginalized in the short term, as exports remain narrowly based on primary commodities.

It is distressing to learn that Africa is expected to lose $1.2 billion every year — which is barely the pocket money that a rich gentleman in this country gave last year to the United Nations — while benefits accruing to non-member countries of the Organisation for Economic Cooperation and Development from the Uruguay Round

of multilateral trade negotiations are expected to be between $30 billion and $90 billion in 2002.

We therefore call on the international community to address squarely the critical areas identified in the progress report in order to move further ahead with the implementation of the New Agenda. There is a need to address issues of the debt overhang, declining official development assistance flows, market access and the general mobilization of financial resources for African countries.

Before concluding, I would like to compliment the representative of Malaysia on a great statement, for here indeed is a country which, after this globalization, had been pulled down, but then stood up and made a statement which gives us hope.

The meeting rose at 1 p.m.